



Legislation Details (With Text)

File #: 18-1026 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 9/17/2018 **In control:** Finance & Governance Committee

On agenda: 10/22/2018 **Final action:** 10/22/2018

Title: A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and The Active Network, Inc., to extend the term, increase the maximum amount and amend the scope of work to provide software maintenance for an Enterprise Class Cashiering System.
Amends a contract with Athlaction Holding, doing business as Active Network LLC, by adding \$266,475 for a new total of \$760,875 and three years for a new end date of 12-31-21 for cashiering and financial reconciliation services for payments made in person, by mail, and online to more than 20 city agencies, citywide (TECHS - CE00013-02). The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-2-2018.

Sponsors:

Indexes: Shelley Smith

Code sections:

Attachments: 1. RR18 1026 TS Active Network, 2. 18-1026 Filed Resolution_The Active Network, LLC CE00013-02, 3. 18-1026 Second Amendatory Agreement_The Active Network, Inc., CE00013-02, 4. 18-1026 Filed Resolution_The Active Network, LLC CE00013-02.pdf, 5. 18-1026 - signed

Date	Ver.	Action By	Action	Result
10/23/2018	1	Council President	signed	
10/22/2018	1	City Council	adopted	Pass
10/2/2018	1	Finance & Governance Committee	approved by consent	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 9-25-18

Requesting Agency: Technology Services
Division:

Subject Matter Expert:

Name: Joe Saporito
Email: joseph.saporito@denvergov.org

Item Title & Description:

(Do not delete the following instructions)
These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).

Both the title and description must be entered between the red "title" and "body" below. Do **not** at any

time delete the red "title" or "body" markers from this template.

A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and The Active Network, Inc., to extend the term, increase the maximum amount and amend the scope of work to provide software maintenance for an Enterprise Class Cashiering System.

Amends a contract with Athlaction Holding, doing business as Active Network LLC, by adding \$266,475 for a new total of \$760,875 and three years for a new end date of 12-31-21 for cashiering and financial reconciliation services for payments made in person, by mail, and online to more than 20 city agencies, citywide (TECHS - CE00013-02). The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-2-2018.

Affected Council District(s) or citywide? citywide

Contract Control Number: TECHS - CE00013-02

Vendor/Contractor Name (including any "DBA"): Athlaction Holding, doing business as Active Network LLC

Type and Scope of services to be performed:

The City currently uses the vendor's Payment Card Industry compliant Enterprise Cashiering (ECS) and Ecommerce application. This solution allows the City to accept payments (in person, by mail and online) to over 20 City agencies and to integrate with numerous back-end systems. It also creates a standardization in the cash handling and financial reconciliation processes. By making 25 different City services available online (for example, property and business taxes, parking citations and court citations), citizens have been able to avoid wait times and the expense of coming downtown to complete payments in person. The current application has worked well for the City since 2011; however, the vendor is no longer investing in the product to make it a modern, mobile-friendly system. The City will conduct a solicitation process in 2019 to procure a new system. This amendment will allow the City to continue to use the current application until a new one can be implemented. This amendment is for the continual technical support of the system.

BACKGROUND:

This first term of this contract was 8/10/2010 - 8/8/2015 and the contract maximum amount was \$194,400. This was to cover the support and maintenance of the ECS application. The annual support costs are based on the number of Point of Sale (POS) systems and the associated software licenses. At that time, the annual supports costs were \$38,800 / year ($\$38,800 * 5 \text{ years} = \$194,000$). Due to an increase in the number of POS systems and associated licenses, the annual support and maintenance costs increased; therefore, this contract was amended in 2012 to add \$300,000 and extend the term by three years making the new term date 8/9/2018 and the new contract maximum amount \$494,000. This second amendment is adding \$266,475 and three years to continue to support the ECS application until a new product can be implemented. The current support costs are \$88,825 / year ($\$88,825 * 3 = \$266,475$). Again, support costs are based on the number of POS systems and associated licenses and the City has increased this number over the last several years which has resulted in

a higher annual support costs.

Location (if applicable):

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):

Are WBE/MBE/DBE goals met (if applicable)?

Is the contract new/a renewal/extension or amendment?

Was this contractor selected by competitive process or sole source? Competitive

For New contracts

Term of initial contract:

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?

Term of any renewals (i.e. 1 year each):

Cost of initial contract term:

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?

If length changing

What was the length of the term of the original contract?

Eight years

What is the length of the extension/renewal?

Three years

What is the revised total term of the contract?

Eleven years

If cost changing

What was the original value of the entire contract prior to this proposed change?

\$494,400

What is the value of the proposed change?

\$266,475

What is the new/revised total value including change?

\$760,875

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)